

Excerpts
Planning Commission Minutes
July 12, 2000

Application No. ZM-46-00, C. W. Optics, Inc.: Request to amend the York County Zoning Map by reclassifying a 1.3-acre parcel located at 905 Seaford Road (Route 622), approximately 1 mile east of the intersection of Seaford Road and Goodwin Neck Road (Route 173), from RR (Rural Residential) to IL (Limited Industrial), subject to conditions voluntarily proffered by the property owner.

Mr. Tim Cross, following a brief video presentation, summarized the staff report to the Commission dated July 5, 2000. He noted the recommendation for approval.

Mr. Heavner questioned the types of deliveries and delivery vehicles anticipated to service the proposed operation. Mr. Cross believed they would be routine deliveries such as FedEx, UPS and U. S. Postal Service.

There being no other questions at this time, Chair Semmes opened the public hearing.

Ms. Nee-Yin Chou, the co-applicant with her husband, spoke of the business they started in Hampton in 1992, with assistance of government grants, as a "small business incubator" developing optical prototypes. She said the business has since received 95 research grants from the National Institutes of Health and collaborates with various universities. Practically all of the business is conducted by computer, she added, so there is practically no vehicular traffic generated. Besides Ms. Chou and her husband, Mr. Leonard Winchester, they employ summer interns but have no fulltime employees. They conduct no human testing and use no water in the conduct of their business. They want to move to York County to be near their home, as they can manage the business wherever they are. In response to the earlier question, Ms. Chou said FedEx and UPS make occasional deliveries to their company.

Mr. Shepperd asked what would become of the property in question if the business were to move. Mr. Cross said the proffers run with the land, so future owners or tenants would be subject to whatever proffers are approved as part of the rezoning. He said use of the building would therefore be restricted to offices and laboratories.

Mr. Shepperd inquired of the proximity of homes, and Mr. Cross replied that most of the residential development is on the south side of Seaford Road and undeveloped property lies west of the parcel in question.

Mr. Simasek asked why the rezoning application in 1996 was denied. Mr. Cross said the proffers offered in 1996 would have opened the door to many uses that would not have been compatible with surrounding development.

Mr. Simasek said this appeared to be a good use for the building and he would have no objection.

Mr. Hendricks thought this would meet the County's objective for a low-impact use of this site and he supported approval.

Mr. Beil asked if the applicants are purchasing the property, and Mr. Cross said a purchase contract is pending.

Mr. Hendricks moved the adoption of Resolution PC00-11 to recommend approval, which carried 6:0 (Mrs. White absent).

PC00-11

On motion of Mr. Hendricks, which carried 6:0, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF APPLICATION NO. ZM-46-00 TO AMEND THE YORK COUNTY ZONING MAP BY RECLASSIFYING A 1.37-ACRE PARCEL LOCATED AT 905 SEAFORD ROAD FROM RR (RURAL RESIDENTIAL) TO IL (LIMITED INDUSTRIAL) SUBJECT TO CONDITIONS VOLUNTARILY PROFFERED BY THE PROPERTY OWNER

WHEREAS, C.W. Optics, Inc. has submitted Application No. ZM-46-00, which requests to amend the York County Zoning Map by reclassifying a 1.37-acre parcel located at 905 Seaford Road (Route 622), approximately 1 mile east of the intersection of Seaford Road and Goodwin Neck Road (Route 173) and further identified as Assessor's Parcel No. 25-323A, from RR (Rural Residential) to IL (Limited Industrial), subject to conditions voluntarily proffered by the property owner; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 12th day of July, 2000 that Application No. ZM-46-00 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval subject to the following conditions voluntarily proffered by the property owner as set forth in the proffer statement dated May 31, 2000:

The subject property will be only be used for the following:

1. Office (Category 11, No. 9)
2. Laboratory, R/D testing facilities (Category 15, No. 1)
